

ROCK LOBSTER MANAGEMENT PLAN REVIEW STEERING COMMITTEE

RECORD OF MEETING

Meeting No 8: 15 February 2023, Queenscliff

CHAIR: Jill Briggs

MEETING COMMENCED: 9:30 AM

1. PRELIMINARIES

Present	
Jill Briggs	Chair (Affectus Pty Ltd)
Luke O'Sullivan	Victorian Fisheries Authority
Toby Jeavons	Victorian Fisheries Authority (Executive Officer)
David Reilly	Victorian Fisheries Authority
Klaas Hartmann	Institute of Marine and Antarctic Studies (IMAS)
Ian Knuckey	Fishwell Consulting
Adrian Meder	Australian Marine Conservation Society
Ben Scullin	VRFish
Lawrence Moore	Recreational fishing representative
Wayne Dredge	Industry Member (Eastern Zone)
Ross Bromley	Industry Member (EastRock)
Matthew Harry	Industry Member (Eastern Zone)
Alex Haberfield	Industry Member (Western Zone)
Gary Ryan	Industry Member (Western Zone)
Lachlan Smith	Victorian Fisheries Authority
Guests	
Matthew Wassnig	Seafood Industry Victoria
Johnathon Brocklesby	Industry representative
Rob Timmers	Scuba Divers Federation Victoria (SDVF)
John Hawkins	Scuba Divers Federation Victoria (SDVF)
Chris Padovani	Victorian Fisheries Authority
Apologies	
Joanne Butterworth-Gray	Seafood Industry Victoria
Peter Galvin	Recreational fishing representative
Leslie Feast	Industry Member (Western Zone)
Steven Rust	Institute of Marine and Antarctic Studies (IMAS)

1.1 Welcome and apologies

Jill Briggs, as Chair, stated an Acknowledgement of Country and paid her respect to elder's past, present and emerging. Jill welcomed members and observers to the 8th meeting of the Victorian Rock Lobster Management Plan Review Steering Committee (RLMPSC) and noted the apologies.

1.2 Overview of meeting Adoption of agenda

An overview of the meeting and agenda was detailed. The agenda was adopted with no changes made.

1.3 Review timelines and outstanding actions

Toby provided an outline of timelines highlighting what the group has already achieved.

Timelines

Seven meetings have taken place to date.

Meeting 1 involved setting the context, establishing the vision and recognising risks.

Meeting 2 involved developing a direction towards the vision through commencing the ESD risk assessment and undertaking an economic analysis of the fishery.

Meeting 3 involved consolidating the vision and completing the risk assessment process to then inform development of objectives, strategies and actions.

Meeting 4 involved reviewing existing objectives and strategies to ensure they are covering the risks and working towards achieving the vision.

Meeting 5 involved working through each objective and associated strategy to identify actions to manage risks and achieve vision.

Meeting 6 focused on reviewing existing reference points and target reference point advised by the RLRAG, reviewing management controls to achieve the target within rebuild timeframe and review of harvest strategy decision rules.

Meeting 7 focused on inter-sectoral allocation, as well as other management considerations including management of eastern rock lobsters and considering amendments to the current over/under-catch rules.

Meeting 8 (this meeting) will focus on bringing it all together, including reviewing feedback from the Committee on the preliminary draft of the Plan, continuing discussion on inter-sectoral allocation and other outstanding items.

Following that, the intention is for the VFA to incorporate any appropriate changes to the management plan document and prepare a full draft version for one further round of comment by the Committee. Toby advised the VFA is aiming to release a final draft by 30 June 2023 to commence the 60-day public consultation period (subject to approval by the VFA CEO and/or the Minister). The Plan will also be discussed at port visit prior to this.

Jill thanked Toby for the update and reiterated to the group that after today we hope to be in a position whereby we have done the work and all that is left is for the VFA tidy it up.

Toby ran through the outstanding actions from last meeting to provide an update.

- Klaas to provide wording for Toby to include in the management plan that details how productivity loss is calculated.
PARTIALLY COMPLETE – *further details to be provided by Klaas.*
- Klaas to provide wording for Toby to ensure justification as to determining target reference point is included in the management plan.
PARTIALLY COMPLETE – *further details to be provided by Klaas.*
- Klaas to discuss size of sexual maturity for RL with Dave Reilly when he gets back from leave
COMPLETE – *Klaas advised that work is being undertaken to understand how lobster growth varies in different areas which can be useful for future management (for example, Tasmania have different size limits for zones of the fishery). Toby noted that we will yet not be in a position to finalise this work and incorporate the findings into the management plan being developed.*
- Lachlan to update minutes of RLMPS Meeting #6 to reflect proposed 240t cap for WZ.
COMPLETE – *updated final version on VFA website.*
- Toby to discuss with Rohan whether indigenous allocation for lobster is something the sector/TOs are seeking and to gain a better understanding of cultural take.
COMPLETE – *Toby provided the update further below.*
- Toby to circulate the DPI Future Fisheries Strategy proposals document (2011) to members.
COMPLETE – *Ian circulated this to the group during this meeting.*
- Klaas present catch graphs broken down by sector and cumulative catch by zone to inform discussion at this meeting.
COMPLETE – *Toby presented this to the group at this meeting (agenda item 4)*
- Toby to chat with ERL manager in NSW about potentially removing eastern rock lobsters from SRL quota and managing separately.
COMPLETE - *Toby updated the group at this meeting (agenda item 5.1)*
- VFA to prepare preliminary draft of RL management plan and provide to Committee for feedback.
COMPLETE – *circulated to members for feedback in December 2022.*

Toby advised that he and VFA policy staff met with Rohan Henry (previous coastal indigenous representative on this Committee) to seek an understanding as to whether indigenous allocation for lobster is something the sector/Traditional Owners are seeking and to gain a better understanding of cultural take. It was noted that there is a lot of work going on within the Victorian Government at present in the lead up to Treaty negotiations and a need for all government agencies to become 'Treaty ready'.

Rohan gave his personal views that the most important thing that the management plan should include is general flexibility and content to reflect this broader changing landscape. It was

agreed that the VFA would look to include an action in the Plan such as “Pursue opportunities / align with processes that are occurring at a broader level that provide for opportunities for TO commercial take”.

Toby noted it was also important the current arrangements under TOS Act and Native Title Act are explained within the management plan itself. This along with some other actions and edits were included in the preliminary draft that was circulated to the Committee for comment. Any new actions were marked up clearly for members to view.

Action - *work with Ian on his suggested changes to Aboriginal content within the preliminary draft Plan.*

A number of Committee members were interested to know whether Traditional Owners would be able to take fish from marine parks. Toby advised that he would need to check the answer to this query and update the group at a later date.

Action – *Toby to seek clarification on whether (and under what circumstances) TO groups could potentially take fish from marine parks.*

1.4 Project discussion platform – Trello

Toby thanked those who provided feedback on the preliminary draft of the Plan and utilized Trello for this. Trello is a useful place for members to express their concerns or comments which Toby can raise at future meetings.

2. Catch-up: Harvest strategy development

2.1 Overview of progress made to date following the recent RLRAG

Klaas provided an overview of progress made to date in development of a new rock lobster harvest strategy in consultation with the RLRAG and this Committee. This included further progress made at the RLRAG meeting held on 14 February 2023 (the day prior).

He relayed that the RLRAG had endorsed, as a RLRAG recommendation, the Western Zone to implement a 242t cap to achieve 28% rebuild target by 2043. This was a slight increase from 240t previously discussed following inclusion of the latest stock assessment data into the projections.

He also advised that the RLRAG has recommended a more precautionary approach for the eastern zone than had been previously discussed. This was in consideration of updated projections following inclusion of the latest stock assessment data, concerns amongst both the commercial and recreational fishing sectors for the current state of the fishery and uncertainty in the model and future environmental changes. The recommendation of a 21t starting point was subject to fee relief being provided by the VFA. Further details are available in the minutes for RLRAG meeting 37 and will be publicly available on the VFA website.

AMCS noted the more aggressive rebuild approach is much more accepting than what had previously been presented with such a long rebuild timeframe, particularly given their concerns with climate impacts in south-eastern Australia and potential for regime shifts to occur. He raised his concern that the forward projections for climate change have not been built in. He was supportive in principle of this more precautionary approach and requested more time to consider the details.

Action – *Adrian to consider the proposed rebuild strategy shortly after the meeting, including discussing in further detail with Klaas.*

An action from the RLRAG 37 was for Klaas to present updated eastern zone ratchet tables at this RLMPRSC meeting particularly given the RLRAG members from the day prior were in attendance and could consider this out of session. He was presented some alternatives as requested for consideration by the group, that each fit the endorsed criteria of a 21t starting point at the current TACC band and a rebuild trajectory of approximately 10-12 years to achieve the agreed 28.8% biomass target. He presented three options for consideration with varying increments of rebuild over time. Option 1 was projected to reach a rebuild cap of 37t with TACC increases from 21t sooner, while options 2 and 3 reached a rebuild cap of 39t with steadier TACC increases from 21t.

The group including all RLRAG members present endorsed option 3, subject to fee relief.

Option 3 includes three blue bands at 21t TACC commencing at the 0.45-0.5 CPUE (2021/22 standardised CPUE for the EZ), maintains 21t at step 2 of the ratchet table, and then increases the TACC by 2 tonnes for the following 6 steps. On progressing to step 9 and 10 under this option, it is projected that a TACC increase by 3 tonnes is available for these last two steps to reach the TACC cap of 39t.

CPUE	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
<0.25	0	0	0	0	0	0	0	0	0	0
0.25 - < 0.30	1	1	1	1	1	1	1	0	0	0
0.30 - <0.35	5	4	3	3	2	2	2	2	2	2
0.35 - <0.40	9	7	6	5	4	4	4	3	3	3
0.40 - <0.45	15	11	9	8	7	6	6	5	5	5
0.45 - < 0.50	21	16	13	11	10	9	8	7	7	7
0.50 - <0.55	21	21	18	15	14	12	11	10	10	9
0.55 - <0.60	21	21	23	20	18	16	14	13	12	12
0.60 - <0.65	⇒	21	23	25	22	20	18	16	15	15
0.65 - <0.70		⇒	23	25	27	24	22	20	19	18
0.70 - <0.75			⇒	25	27	29	26	24	23	22
0.75 - <0.80				⇒	27	29	31	28	27	25
0.80 - <0.85					⇒	29	31	33	31	30
0.85 - <0.90						⇒	31	33	36	34
0.90 - <0.95							⇒	33	36	39
0.95 - <1.00								⇒	36	39
1.00 - < 1.05									⇒	39

Klaas advised that under this option, he would expect the catch rate in the eastern zone to increase a step upwards in the ratchet table each year.

2.2 Next steps

Based on the advice received from the RLRAG and RLMPSC, Klaas will now reconfigure the harvest strategy including the graph and catch rate tables ahead of the next meeting.

Action – *Klaas to update draft harvest strategy following progress made at RLRAG 37 and RLMPRSC 8.*

It was agreed that the RLRAG does not need to meet out of session given the discussion today and given all members were present from the meeting the day prior.

Ian noted that it was a significant achievement for the group to get to this recommendation, but that the group still needs to have the recreational allocation discussion today as recreational take is connected to the harvest strategy and the potential success of the rebuild. Klaas

acknowledged that the tables are currently designed on the assumption that recreational catch is the same each year and noted that rec catch would likely increase if not managed accordingly as the stock improves and hinder the rebuild.

Morning tea – 10:30 – 10:45

3. Reviewing Preliminary DRAFT RL Management Plan

3.1 Discussion: key matters raised during recent feedback

Following circulation of a preliminary draft management plan to the group in December 2022, Lachlan thanked those Committee members that had provided comments in the first round of feedback. He presented a shortlist of key issues raised by Committee members and the proposed pathway forward after considering this feedback. He sought any further advice from the Committee.

Below is a summary of actions resulting from the discussion for Toby to progress which can be incorporated into the next draft of the Plan:

- Add an appropriate end date of the Plan and specify this in the document.
- Add new action as follows - “VFA to work with Parks Vic to improve robustness of marine park surveys, including being more frequent and funded by external revenue streams”
- Add new action as follows “VFA to actively pursue external revenue streams to boost current fixed site survey program and MPA monitoring”.
- Add action in relation to objective 1, strategy 3 to collect annual economic data to inform decision making
- Add new action to improve pre-recruit data through expansion of voluntary pot program.
- Review the actions table and specify where any actions are dependent on other groups to ensure accountability.
- Strengthen wording for action 2ii) regarding management of soak times so a soak time is developed for the fishery. It was clarified that the EZ soak time will go into a legal instrument (e.g. regulation).
- In relation to action 11ii) include timeframe for establishing the MAC - within 12 months of implementing management plan.
- Update data collection section of the management plan to ensure existing recreational and indigenous data collection are covered along with commercial.
- Add line to Table 7 of the draft Plan to the effect that the MAC will consider a recommendation from the RAG prior to undertaking broader consultation.

Action – *Toby to make the various amendments to the draft management plan specified in item 3.1 of RLMPRSC Meeting 8 minutes.*

Lachlan thanked the Committee for further feedback and noted that the VFA will respond to those who submitted comments and share this in a marked-up version on Trello with comments. A clean revised draft will also be circulated (once ready) to the Committee for one further opportunity to comment prior to progressing towards the CEO briefing and public consultation process.

Action – *Toby to respond to Committee members who submitted comments by sharing a consolidated marked-up version on Trello with responses to comments/edits..*

Lunch – 12:00 – 12:30

3.2 Discussion: Outstanding matters to be resolved

Jill asked the group whether there were any other matters that Committee members would like to raise regarding the preliminary draft Plan that was circulated. No further matters were raised.

4. Intersectoral allocation

4.1 Overview of previous discussion

Toby noted the paper that had been circulated to the Committee ahead of this meeting which detailed the existing policies and legislation that are relevant when considering intersectoral allocation issues and progress that had been made by the Committee at the last meeting (this is also included in the minutes for RLMPRSC meeting 7). It was agreed that this meeting would re-focus the discussion on:

- 1) Percentage allocation for the recreational sector.
- 2) Approach to manage the relevant sector within their annual allocation (retrospective with review of input controls each year or hard cap closure during season).

4.2 Discussion: Outstanding matters to be resolved

Toby presented the catch data for the eastern and western zones including both commercial and recreational take reported to the VFA over recent years. As discussed at previous RLMPRSC and RLRAG meetings, he advised that 2018/19 season was the most recent and reliable estimate of recreational catch. A summary of that season's recreational data is provided below:

Season	Participants	Weight fished (kg)	Number taken	Weight taken	Weight taken as a % of that year's TACC
2018	5586	Mean = 1.9 East = 2.0 West = 1.7	East = 3107 West = 3734	East = 6202.0 kg West = 6346.1 kg	East = 15.5% West = 2.6%

Toby clarified that by applying the length /weight relationship (with the same average weights and sex ratio used for the **EZ** in 2021/22) to the reported catch for 2018/19, the estimated total weight landed was 5,025 kg, equivalent to 15.7% of the TACC in 2021/22 quota year. By applying the length /weight relationship (with the same average weights and sex ratio used for the **WZ** in 2021/22) to the reported catch for 2018/19, the estimated total weight landed was 5,070 kg, equivalent to 2% of the TACC in 2021/22 quota year. Toby noted that these percentages presented are a proportion of the TACC rather than actual catch and that it was important to note that if recreational catch was underreported, then the percentage would be higher.

Toby suggested that in light of the information above, a starting proposal to support this important conversation could be to consider a recreational allocation of 15% and 2-3% of the fishery's Total Allowable Commercial Catch (TACC) in the Eastern and Western Zones respectively.

Klaas clarified that the ratchet tables that have been discussed to date have been based on an assumed constant recreational catch of the weights shown in the table above (e.g. approximately 6 tonnes for recreational take in the eastern zone). He advised that in the short term, the 6t catch by the rec catch is unlikely to be exceeded but as the fishery rebuilds in future years it may exceed this and effect the rebuild trajectory including commercial TACCs.

An observer questioned why recreational allocation should be linked to commercial CPUE. Ian clarified that the only reliable indicator of biomass for the fishery at present is commercial CPUE. He noted that the Committee could consider that recreational catch share be set at a proportion of the available biomass estimate rather than the TACC.

Klaas cautioned that whilst biomass trends are generally consistent from one assessment to the next the estimated magnitude/scale of the biomass time series is less certain and can fluctuate from one assessment to the next. Consequently setting a TARC or TAC as a percentage of the most recent biomass estimate could introduced an undesired level of interannual variability in the TARC or TAC that is unrelated to biomass changes. He advised that there is a 205t biomass estimate for 2018/19 season being discussed for the eastern zone. When comparing what percentage of this 205t was taken by recreational fishers, it was calculated to be about 3% (i.e. 6t out of 205t). Therefore, a potential recreational allocation based on the 2018/19 year would be 3% of available biomass in the eastern zone. Klaas clarified that if we were to pursue this percentage approach, as the biomass doubles, the recreational allocation doubles and so the sector could technically take 12t. However, he cautioned that this would mean the surplus 6t would need to be taken from somewhere at that point (impacting the TACC ratchet tables that have been developed).

Toby advised that the Committee discussed resource allocation at the previous meeting and members have had several months to consider the options put forward, and noted that there are deadlines the VFA needs to meet to progress towards a new management plan. The Chair reiterated that if the Committee cannot form a recommendation quickly, this will be communicated to the VFA Executive and a recommendation may be made by the VFA CEO to the Minister on an allocation.

There was very extensive debate on intersectoral allocation and what is the appropriate method to determine a potential recreational allocation. This discussion took place over several hours.

After considerable discussion, there was agreement for a recreational allocation in the eastern zone of 3% of the available biomass estimate, with a 6-tonne hard cap to trigger a review of management arrangements. Further, agreement was reached that the recreational sector would adopt a reduced allocation (2.5% available biomass EZ) for the first few years until the recreational catch reporting app was developed.

Toby noted the significant concessions that have been made by the commercial sector to pursue a rebuild of this stock and suggested that it would be fair to take a precautionary approach with recreational take by reducing the bag limit in the eastern zone from 2 to 1 until such time as we have reliable data being reported through GoFishVic to implement the recreational allocation. He noted the challenges with the recent transition to electronic reporting and that it may be some time before the data relied upon. He advised that the new supplier working on GoFishVic had only just commenced and this was a big focus for the VFA to progress in 2023.

The suggestion of a reduction to the recreational bag limit resulted in strong discussion between the sectors and management. Toby suggested that it would be an appropriate precautionary approach whilst a more robust recreational reporting platform is developed to manage the risk of impeding the rebuild. Commercial industry members were in support of a reduced bag limit with the view that all sectors should be in on this rebuild of the fishery together and need to make sacrifices. Recreational sector representatives were adamant in not supporting a reduction to the bag limit and questioned why it was necessary if there is an allocation. Further, recreational representatives advised that if a bag limit reduction was going to be considered then support for a

catch cap and a temporarily reduced allocation would not be endorsed. Recreational representatives supported adopting a reduced allocation whilst the catch reporting app is further developed.

Agreement was reached that the recreational sector would adopt a reduced allocation (2.5% available biomass EZ) for the first few years until the recreational catch reporting app was developed. This would assist to promote stock recovery and align with the commercial sector taking TACC reductions to improve catch rates.

The Chair noted the divergent views between the sectors on a bag limit reduction that was tabled by the VFA only at the meeting with no prior review by the steering committee. Consideration of a bag limit reduction would require further discussion with the committee and consultation.

Jill thanked the group for their contributions in this complex discussion and noted that significant progress had been made today.

5. Management considerations

5.1 Management of eastern rock lobsters – Seeking endorsement for 100kg byproduct allowance following consultation with NSW

Toby advised that there is a higher catch of ERL in far East Victoria around Mallacoota, however very little has been retained to date. The highest catch reported by a single operator is 91kg in any given year, although eastern operators advised that many ERL are discarded as the landed price is a lot less than SRL and it is not economical to use expensive SRL quota on the lower priced ERL. He noted that industry have requested a change to management arrangements to permit retaining eastern rock lobster (ERL) outside of the allocated TACC and quota for the fishery, which currently includes southern rock lobster (SRL). That is, under current arrangements, both ERL and SRL are deducted from an operator's quota allocation. This has resulted in operators not retaining ERL (typically due to lower market value). Some fishers have raised concerns that ERL may outcompete SRL if they are always returned to the water while the SRL is retained.

Toby advised that following discussion at the last meeting, he sought endorsement from NSW Fisheries to permit Victorian RL licences to have access to 100kg of ERL catch during each quota period. There are approximately 30 licences in the Eastern Zone, and whilst highly unlikely, maximum catch could reach 3t if all EZ licences were active and caught their allocated 100kg. Catch in the Western Zone would be negligible. There was general endorsement from NSW for this approach, however they raised some concerns with the ERL quota being made transferable.

The VFA is committed to splitting take of ERL out of the Victorian southern rock lobster fishery's quota and this is supported by industry. Toby noted that the level of by-product was yet to be determined and sought endorsement from the group for the 100kg.

An industry member advised that 100kg, if implemented as a catch cap, is too low and noted that there are likely only 3-4 licence holders that fish in the far eastern area that would retain eastern rock lobster. It was suggested that it is therefore a really a very small quantity of eastern rock lobster that would be caught under this proposal. The group agreed that including an action in the Management Plan to split Eastern rock lobster quota from SRL with the details to be worked through once the MAC is advised is the best way forward.

Action - Toby to ensure there is an action under the management plan to split Eastern Rock lobster quota from SRL. The details of this action will be developed in consultation with the MAC.

5.2 Considering over / under-catch

Toby advised that there was endorsement from the RLMPSC to propose a change from 20kg to 50kg for over-catch (which is deducted from the licence holders quota the following season) for inclusion in the draft Plan and subject to further consultation. This would help fishers to maximise opportunity and reduce pressure/stress on industry. There was also consensus for no change to the under-catch rule and that any fish left in the water is seen as a benefit to the stock.

Action - Toby to amend the actions table in relation to the commercial fishery quota over-catch.

6 Other business

Jill closed by thanking members for their efforts in joining for this important discussion and noted significant progress that has been made. Jill then concluded the 8th Rock Lobster management plan review steering committee meeting. **Next meeting date – TBC.**

Outstanding actions:

- Klaas (IMAS) to provide wording for Toby to include in the management plan that details how productivity loss is calculated.
- Klaas (IMAS) to provide wording for Toby to ensure justification as to determining target reference point is included in the management plan.
- Toby (VFA) to send out invites for next meeting date when appropriate.
- Toby (VFA) to work with Ian on his suggested changes to Aboriginal content.
- Toby (VFA) to seek clarification on whether (and under what circumstances) TO groups could potentially take fish from marine parks.
- Adrian (AMCS) to consider the proposed rebuild strategy shortly after the meeting, including discussing in further detail with Klaas.
- Klaas (IMAS) to update draft harvest strategy following progress made at RLRA 37 and RLMPRSC 8.
- Toby (VFA) to make the various amendments to the draft management plan specified in item 3.1 of RLMPRSC Meeting 8 minutes.
- Toby (VFA) to respond to Committee members who submitted comments by sharing a consolidated marked-up version on Trello with responses to comments/edits.
- Intersectoral allocation discussion to continue out of session to refine allocation details and consider Western Zone
- Toby to ensure there is an action under the management plan to split Eastern Rock lobster quota from SRL. The details of this action will be developed in consultation with the MAC
- Toby (VFA) to amend the actions table in relation to the commercial fishery quota over-catch rule.